

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

EARL BANKS,

Plaintiff,

v.

**Civil Action 2:11-cv-944
Judge Michael H. Watson
Magistrate Judge E.A. Preston Deavers**

DETECTIVE GINA GRAY, *et al.*,

Defendants.


ORDER

Plaintiff, Earl Banks, who is proceeding without the assistance of counsel, brings this civil rights action under 42 U.S.C. § 1983 against the City of Cleveland, the Cleveland Police Department, and several employees of the police department. This matter is before the Court for consideration of the March 14, 2012 Report and Recommendation of the United States Magistrate Judge, ECF No. 6, and Plaintiff's Objections to the Report and Recommendation, ECF No. 12,.

Plaintiff filed a timely objection to the Report and Recommendation under Federal Rule of Civil Procedure 72(b). If a party objects within the allotted time to a Report and Recommendation, the Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

The Court has reviewed the Report and Recommendation and Plaintiff's Objections in accordance with 28 U.S.C. § 636(b)(1) and Rule 72(b). Because the decision and analysis of the Magistrate Judge is correct, the Court **ADOPTS** the March 14, 2012 Report and Recommendation, ECF No. 6, **OVERRULES** Plaintiff's Objections, ECF No. 12, and **DISMISSES** this action in its entirety under §§ 1915(e)(2) and 1915A for failure to state claim upon which relief can be granted. Additionally, the Clerk is **DIRECTED** to send a copy of this Order to the Ohio Attorney General's Office, 150 E. Gay St., 16th Floor, Columbus, Ohio 43215.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT